

CHAPTER NO. 824

SENATE BILL NO. 595

**By Finney, Williams, Beavers, Burchett, Woodson, Black, Curtis S. Person, Jr., Harper, Burks**

**Substituted for: House Bill No. 374**

**By Harwell, Brown, McMillan, Baird, Campfield, Marrero, Harry Brooks, Henri Brooks, Moore, DuBois, Gresham, Sontany, West, Bone, Towns**

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 1; Title 49, Chapter 2 and Title 49, Chapter 6, relative to sexual violence awareness and prevention curriculum.

WHEREAS, high school students are at risk of becoming victims of sexual violence, including date or acquaintance rape and, if minors, statutory rape; and

WHEREAS, Tennessee high school students need to be made aware of the dangers of date or acquaintance rape and of statutory rape; and

WHEREAS, Tennessee high school students need to be aware that certain drugs are used to facilitate date or acquaintance rape, and need to be aware of the dangers of these drugs; and

WHEREAS, Tennessee high school students need to be aware of situations and circumstances that may increase susceptibility to victimization from sexual violence and particularly to date or acquaintance rape; and

WHEREAS, Tennessee high school students need tools and resources to prevent or avoid becoming victims of sexual crimes; and

WHEREAS, Tennessee high school students need to be aware of and understand the need for prompt reporting of rape and other sexual crimes and preservation of evidence of rape and other sexual crimes; and

WHEREAS, Tennessee high school students need to be aware of the types of support and aid and other resources available to victims of sexual violence from such organizations and persons as rape crisis centers, youth advocacy organizations, medical practitioners, local law enforcement agencies, and the district attorney general; and

WHEREAS, Tennessee high school students need to be aware of and understand the penalties for rape and statutory rape and other sexual crimes and long-term consequences for conviction of sexual crimes; now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 1, Part 2, is amended by adding the following language as a new, appropriately designated section:

§ 49-1-2\_\_.

(a) Subject to the guidance and approval of the state board of education, the Department of Education is urged to develop a sexual violence awareness curriculum for presentation at least once in grades seven (7) and eight (8) and at least once, preferably twice, in grades nine through twelve (9-12), as part of the wellness, family life, safety, or other existing curricula. Such curriculum should include instruction to increase students' awareness and understanding of teen dating violence and sexual violence, including, but not limited to, date, acquaintance, and stranger rape and statutory rape, rape prevention strategies, resources and support available to victims of teen dating violence and sexual violence, and prosecution of crimes associated with teen dating and sexual violence.

(b) The curriculum should address in age appropriate language topics including, but not limited to:

(1) What teen dating violence is;

(2) What sexual violence is and specifically what date rape, acquaintance rape, stranger rape, and statutory rape are and the dangers of sexual violence;

(3) What are the methods and means of avoiding and preventing victimization from teen dating violence or sexual violence;

(4) How alcohol and other drugs are used to facilitate date rape or acquaintance rape, and the dangers of these substances;

(5) Why there is a need for prompt medical attention and medical evaluation of victims of sexual violence;

(6) What is the nature and prevention of AIDS and other sexually transmitted diseases;

(7) How to preserve forensic evidence of sexual violence and specifically what victims should and should not do after being sexually assaulted;

(8) Who are the authorities to whom teen dating violence and sexual violence should be reported in a timely manner including, but not limited to, identification of and telephone numbers for local law enforcement personnel to whom sexual crimes should be reported;

(9) What persons, including school personnel, and organizations provide support and resources for victims of teen dating violence and sexual violence; and

(10) What are the penalties and long-term consequences resulting from conviction of sexual crimes including, but not limited to, rape and statutory rape.

(c) The Department of Education is urged to develop and implement such curriculum no later than July 1, 2007. In developing and implementing such curriculum, the department and the state board are authorized to draw upon the expertise and resources of organizations such as the Victims of Crime State Coordinating Council and the Tennessee Coalition Against Domestic and Sexual Violence for assistance in the development of such curriculum, in provision of training and resources for teachers, and


for service as a delivery system of the curriculum, as appropriate; provided, that such assistance is furnished at no added cost to the state.

(d) The state board and the department shall report to the Select Oversight Committee on Education by July 1, 2007, as to the actions taken to implement the provisions of this section. If such curriculum is implemented, but is later withdrawn, then the state board and the department shall notify the Select Oversight Committee on Education.

SECTION 2. This act shall take effect upon becoming law, the public welfare requiring it.

May 17, 2006

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 2nd day of June 2006

  
PHIL BREDESEN, GOVERNOR